

REMARKS

Reconsideration and allowance of this application are respectfully requested in view of the foregoing amendments and the following explanations and remarks.

On page 2 of the Office Action, claims 1, 2, 7 and 12 were rejected under 35 U.S.C. 102(e) as being anticipated Archer et al (U.S. Pub. 2004/0015240A1). The Examiner pointed out that Archer et al disclose a wrist device having a back section adapted to receive the distal end of an arm prosthesis, a rotatable front section, a quick disconnect connection means having a receptacle, angular positioning means connected with the quick disconnect connection means, and flexion locking means on the wrist unit engageable with the angular positioning means.

Claims 3-11 and 13-21 were objected to as being dependent upon a rejected base claim but were deemed to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants' agent would like to first discuss apparatus claims 13-11, and then method claims 3-11.

Apparatus claim 13 is directed toward applicants' rotation locking means on the back section engageable with the rotary positioning means for releasably locking the front section at a selected rotated orientation about the longitudinal axis and the flexion locking means on said wrist unit engageable with said angular positioning means for releasably locking the quick disconnect connection means and the attached terminal device at a selected angular orientations.

Rather than rewrite provisionally allowable apparatus claim 13 in independent form, base claim 12 has been amended to include the limitations of provisionally allowable claim 13. Base claim 12 is now the same as claim 13 written in independent form, and should now be an allowable base claim. Claims 14-21 now depend from an allowable base claim and should be allowable along with base claim 12.

Method claim 7 (like apparatus claim 13) includes applicants' rotary positioning means connected with the front section and rotation locking means on the back section releasably engageable with the rotary positioning means; and recites the method steps of rotating the front section and rotary positioning means, and releasably locking it at the desired rotated pronation or supination orientation with respect to the longitudinal axis.

Method claim 1 has been amended to include the limitations of the flexion locking apparatus of intervening claim 2, and the rotary positioning means and rotation locking means apparatus of provisionally allowable claim 13 and claim 7; and the method steps of positioning and releasably locking the front section and attached terminal device at a desired rotated pronation or supination orientation with respect to the longitudinal axis and positioning and releasably locking the quick disconnect connection means and attached terminal device at a desired angular flexion or extension orientation about the transverse axis with respect to the longitudinal axis; whereby the terminal device is selectively positioned at a desired pronation or supination orientation and a desired angular flexion or extension orientation with respect to the distal end of the arm prosthesis and manipulated to perform useful functions.

Archer et al does not show or suggest a rotary positioning means on the front section and releasable rotation locking means on the back section engageable with the rotary positioning means to lock the front section at a selected rotated position with respect to the longitudinal axis, nor any method of positioning and releasably locking the front section and attached terminal device at a desired rotated pronation or supination orientation with respect to the longitudinal axis.

Instead, Archer et al shows in Fig. 1, and describes at page 1, paragraphs 14 and 15, a semi-cylindrical rotator (12) that gives the wrist the ability to rotate in a “flexion or extension direction”. The top portion (34) of the semi-cylindrical rotator is configured for connection to a prosthetic hand. The cylindrical portion of the rotator has a plurality of slots that are configured to receive a sliding lock plate. The semi-cylindrical rotator rotates around a pivot pin (20). Archer et al describes at page 2, paragraph 24 and shows in Figs. 4, 5, 6 and 7, an embodiment that includes a torsional spring (300) which allows the wrist rotator structure to exhibit compliance in an “extension or flexion direction”(Figs 6 and 7), and then returns the wrist device to an upright position (Fig. 5).

Although Archer et al provides a “wrist quick disconnect unit” (110), it appears to be a conventional quick disconnect unit of the type commonly used with myoelectric prosthetic hand attachments, and has no locking means, and it is not in the same situation and united in the same way to perform the same function as applicants’ quick disconnect connection.

"anticipation is strictly a technical defense...unless all of the same elements [of the sought-to-be patented device] are found [in a single prior art reference] in exactly the same situation and united in the same way to perform an identical function, [the former is not anticipated by the latter.]" Illinois Tool Works, Inc. v. Sweetheart Plastics, Inc. 436 F.2nd 1180, 1182-83, 168 USPQ 451, 453-454 (7th Cir. 1971).

The quick disconnect unit of Archer et al is not pivotally mounted on the front section to pivot about a transverse axis with respect to the longitudinal axis and does not have a receptacle at a distal end for releasable attachment of a terminal device thereto, nor any method or means of positioning and releasably locking the quick disconnect connection means and attached terminal device at a desired angular flexion or extension orientation about the transverse axis with respect to the longitudinal axis.

Instead, Archer et al shows in Figs. 2-7, and describes at page 2, paragraph 21, a wrist quick disconnect unit (110) coupled to a lower mounting plate (108), an upper mounting plate (104) coupled to the semi-cylindrical rotator (116), and a prosthetic hand (102) coupled to the upper mounting plate. Additionally, a coax connector (112) can be coupled to the wrist quick disconnect unit. Archer et al describes at paragraph 22, that a bundle of wires (114) is coupled to the coax connector and routed through the wrist disconnect unit, the lower mounting plate, the base plate, the sliding lock mechanism, the semi-cylindrical rotator, and the upper mounting plate. The bundle of wires is then coupled to the prosthetic hand so that it can carry control signals to the hand.

Clearly Archer et al does not show all of the same elements of applicant's claimed invention as recited in amended claim 1 in exactly the same situation and united in the same way to perform an identical function.

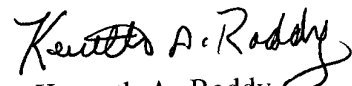
It is respectfully submitted that there is no teaching in Archer et al to show or suggest a front section which is positioned and releasably locked at a desired rotated pronation or supination orientation with respect to the longitudinal axis and a quick disconnect connection means which is positioned and releasably locked at a desired angular flexion or extension

orientation about a transverse axis with respect to the longitudinal axis, whereby an attached terminal device is selectively positioned at both a desired pronation or supination orientation and a desired angular flexion or extension orientation with respect to the distal end of the arm prosthesis.

Therefore, it is respectfully submitted that claim 1, as now amended, contains subject matter deemed to be allowable and details of structure and function not shown or suggested by Archer et al, and is not anticipated by the Archer et al reference, and should now be an allowable base claim. Claims 3-6, and 8-11 depend from claim 1 and recite additional limitations and should be allowable along with base claim 1.

Accordingly, in view of the foregoing amendments, explanations and remarks it is respectfully requested that claims 1, 3-6, 8-11, 12 and 14-21, as now amended or originally presented, be allowed and that this application be passed to issue.

Respectfully submitted,



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